



Attorney Docket Number 60215900002
Application Serial Number 10/030,971
September 29, 2003

#11 B. Hay
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :

BRUNNER, N., *et al.*

Serial No.: 10/030,971

Filed: January 15, 2002

Examiner: Qazi, Sabiha Naim, Ph.D.

Group Art Unit: 1616

For: COMPOSITION HAVING STEROIDAL ESTROGEN EFFECT WITHOUT
INCREASING THE RISK OF BREAST CANCER

Director of the United States Patent and Trademark Office
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION RESTRICTION

REQUIREMENT (PAPER NO. 10)

Sir,

Responsive to the non-final office action (the restriction requirement) mailed August 28, 2003, please consider the following remarks and provisional election. Applicants note that this submission (filed Monday, September 29, 2003) is responsive within the time period provided for response without payment of extension fees, September 28, 2003 being a Sunday. Accordingly, it is believed that no fees are required with this response. However, the Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 (except the Issue Fee) which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 50-0206.

REMARKS

Restriction Requirement

The non-final office action (paper number 10) subjected the pending claims to restriction under 35 U.S.C. §§ 121, 372, between one of the following inventions:

Group I.) Claims 1-21, 51-56 drawn to use of compositions as in claim 1;

Group II.) Claim 22, drawn to a container;

Group III.) Claim 23, drawn to a container;